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PRIMECO PERSONAL COMMUNICATIONS,

CHIEF CLERK'S OFFICE

v.

Docket No. 00-0670

ILLINOIS BELL TELEPHONE COMPANY
d/b/a AMERITECH ILLINOIS,

AGREED MOTION TO EXTEND TIME

NOW COMES Complainant, PrimeCo Personal Communications ("PrimeCo"), by its attorneys, Hopkins & Sutter, and moves this Commission for an Order extending the time by which the hearing in this docket must commence and extending the time by which the Hearing Examiner must issue a written decision. In support of this Motion, PrimeCo states as follows:

1. On October 16, 2000, PrimeCo filed its Verified Complaint against Respondent, Illinois Bell Telephone Company d/b/a Ameritech Illinois ("Ameritech"), pursuant to Sections 13-514 and 13-515 of the Public Utilities Act (the "Act"), and 83 Ill. Adm. Code Part 766. On the same date, PrimeCo served Ameritech with direct testimony supporting the allegations contained in PrimeCo's complaint.

2. Under Section 13-515(a) of the Act, PrimeCo's complaint against Ameritech must be expedited in accordance with the procedures set forth in Section 13-515 unless the Commission, PrimeCo, and Ameritech agree to adjust those procedures. 220 ILCS § 5/13-515(a).

3. Among other things, Section 13-515(d)(7) of the Act states, "[t]he hearing shall commence within 30 days of the date on which the complaint is filed." 220 ILCS § 5/13-515(d)(7). Section 13-515(d)(7) further states, "[t]he hearing examiner ... shall

issue a written decision within 60 days after the date on which the complaint is filed.” 220 ILCS § 5/13-515(d)(7). Accordingly, unless adjusted, the hearing in this docket must commence by November 15, 2000, and the Hearing Examiner must issue a written decision by December 15, 2000.

4. During the pre-hearing conference held on October 25, 2000, PrimeCo and Ameritech agreed to adjust the foregoing statutory requirements to ensure that the parties have sufficient time to complete discovery, develop and prepare testimony, and fully prepare their cases. Specifically, based on the date on which Ameritech agreed to file its testimony, the date on which PrimeCo agreed to file its rebuttal testimony, and the dates on which the parties agreed to file post-hearing briefs, PrimeCo and Ameritech agreed to extend the date by which the hearing in this docket shall commence and the date by which the Hearing Examiner must issue a written decision by approximately three weeks.

5. In particular, PrimeCo and Ameritech agreed to adhere to the following schedule, without deviation:

- a. Ameritech shall file its testimony on or before November 8, 2000;
- b. PrimeCo shall file its rebuttal testimony on or before November 17, 2000;
- c. Hearing shall commence at 10:00 a.m. on December 4, 2000 and continue on December 5, 2000, as necessary;
- d. The parties shall file initial briefs on December 15, 2000;
- e. The parties shall file reply briefs and proposed orders on December 22, 2000; and
- f. The Hearing Examiner shall issue his order on or before January 3, 2001.

6. All other statutory procedures and requirements set forth in Section 13-525 of the Act remain unchanged.

7. On October 25, 2000, in addition to approving of the parties' proposed schedule, the Hearing Examiner authorized the parties to serve documents by e-mail on or before 5:00 p.m. on the date the documents are due and to serve hardcopies of such documents by mail immediately thereafter.

8. Counsel for Ameritech has reviewed and approved of this Motion.

WHEREFORE, PrimeCo respectfully requests that this Commission extend the date by which the hearing in this docket shall commence to December 4, 2000, extend the date by which the Hearing Examiner shall issue a written decision to January 3, 2000, and adopt all other provisions of the schedule and procedures described in Paragraphs 5 and 7 of this Motion.

Dated: October 26, 2000

PRIMECO PERSONAL
COMMUNICATIONS

By: Kathleen R. Pasulka-Brown
One of its attorneys

John W. McCaffrey
Kathleen R. Pasulka-Brown
HOPKINS & SUTTER
Three First National Plaza
Suite 4100
Chicago, Illinois 60602
(312) 558-6600

CERTIFICATE OF SERVICE

I, Kathleen R. Pasulka-Brown, do hereby certify that I served a copy of the foregoing Agreed Motion to Extend Time on the following parties by the method indicated below on October 26, 2000:

Donna M. Caton
Office of Chief Clerk
Illinois Commerce Commission
527 E. Capitol Avenue
Springfield, Illinois 62701
(BY FEDERAL EXPRESS)

Sherwin H. Zaban
Hearing Examiner
Illinois Commerce Commission
160 North LaSalle Street
Suite C-800
Chicago, Illinois 60601
(BY MESSENGER)

Karl B. Anderson
Ameritech
225 West Randolph Street
Floor 29B
Chicago, Illinois 60606
(BY MESSENGER)



Kathleen R. Pasulka-Brown